

April 9, 1996

LB 1375

that amendment in order to allow the more substantive amendment to go forward.

PRESIDENT ROBAK: Thank you, Senator Withem. The amendment is withdrawn. Mr. Clerk.

CLERK: Senator, does that apply to both amendments, the amendment to the amendment and..?

PRESIDENT ROBAK: The amendment to the amendment and the original amendment are both withdrawn.

CLERK: Madam President, pursuant to the Speaker's directive, the next amendment I have is AM4426 signed by Senators Bromm and Hillman. (See pages 1919-20 of the Legislative Journal.)

PRESIDENT ROBAK: The Chair recognizes Senator Bromm to open on his amendment.

SENATOR BROMM: Thank you, Madam President. AM4426 which has been filed by Senator Hillman and myself, we've had copies made and they should be distributed to you momentarily. I think they're coming very quickly. Let me try to describe the changes that this amendment does. This amendment incorporates a little expanded language that Senator Wickersham recommended which says that this doesn't just apply to selling public records but it applies to providing electronic access to public records which I think is a...which was our intent all the way along and we just hadn't probably said it quite as explicitly as that, but I think that's a good suggestion and that's incorporated into this amendment. We also added language that any contract in existence that provides electronic access or records for fee greater than state law would be terminated on January 31 of '98 which is the old language unless sooner voided or terminated by the order of a court of competent jurisdiction. We all know that there is some litigation pending. We don't know but what there might sometime be other litigation. So if there would be litigation and an order of a court that had jurisdiction over the matter say this must be terminated now or this is an illegal contract, it would be terminated, of course, upon the date of that order of the court. We also have added language since we are allowing these kinds of contracts to continue beyond the effective date of this act till January of '98, we've added language that says this act shall not be construed to validate,